

New Hampshire Dredge Management Task Force Meeting Minutes – September 18, 2013

The meeting was held on Wednesday, September 18, 2013 from 1:30 PM to 3:25 PM at the New Hampshire Department of Environmental Services Office, 222 International Drive, Suite 175, Pease Tradeport, Portsmouth, NH.

Introductions and Announcements

Chairman Chris Williams asked members to introduce themselves. The list of attendees follows.

Attending members in alphabetical order:

Robert Boeri, Massachusetts Office of Coastal Zone Management
Valerie Cappola, U.S. Army Corps of Engineers (ACOE)
Adele Fiorillo, Normandeau Associates.
Chuck Gilboy, Office of Representative Carol Shea-Porter (via conference phone)
Olga Guza-Pabst, Environmental Protection Agency (EPA)
Richard Heidebrecht, ACOE
Carol Henderson, NH Fish and Game Department (NHF&G)
Richard Holt, Jr., Moran Towing Corp.
Richard Holt, Sr., Portsmouth Pilots & Pease Harbor Advisory Board
Ed O'Donnell, ACOE
Frank Richardson, DES Wetlands Bureau
Richard Roach, ACOE
Tracy Shattuck, Pease Development Authority–Division of Ports & Harbors (PDA-DPH)
Simon Thomson, Office of Senator Ayotte
Chris Williams, Chairman, New Hampshire Coastal Program (NHCP)

Staff:

Mary Power, NHCP

Guests:

Phil Colarusso, EPA
Bob Melanson, Kittery Port Authority
Bob Landry, NH Department of Transportation
Eric Levesque, Appledore Marine Engineering, Inc.

Chairman Williams asked for comments or revisions to the draft minutes from the May 15, 2013 meeting. Frank Richardson, DES Wetlands Bureau, noted a minor error regarding the meeting time. The error will be corrected and the minutes will be finalized and posted on the Task Force web site at

<http://des.nh.gov/organization/divisions/water/wmb/coastal/dmtf/index.htm>.

Budget and Legislative Update

Chairman asked Simon Thomson of Senator Ayotte's office to provide an update. Mr. Thomson stated that the Senate passed a Water Resources Development Act (WRDA) bill in May. The House of Representatives appears ready to introduce their version of a WRDA bill soon. If the House passes it, a conference will be required with the Senate to reconcile the two bills. Section 201 of the Senate WRDA, which relates to the Harbor Maintenance Trust Fund (HMTF), states that target expenditures will increase each year until 2020, and no less than 80% of the funds deposited to the HMTF must be used for operations and maintenance activities. Chuck Gilboy of Congresswoman Shea-Porter's office, participating via conference phone, stated that the House WRDA bill was approved by the Transportation and Infrastructure Committee. He expects the bill to come to the House floor in late October, 2013. He stated that like the Senate WRDA bill, the House WRDA bill does include language to re-open the Cape Arundel Disposal Site (CADS).

Chairman Williams stated that he recently spoke with Sarah Holmes of Senator Shaheen's office. While Ms. Holmes did not have any additional information on the Senate WRDA bill, she did state that Senator Shaheen was recently named to the Senate Energy and Water Appropriation Subcommittee.

Ed O'Donnell, ACOE stated that the current language in both the House and Senate WRDA bills authorizes the ACOE, in concurrence with EPA, to reopen CADS. He added that there are a number of dredging projects that could make use of CADS. He also stated that if more money is directed to the HMTF and more HMFT monies are spent on operations and maintenance activities, this may free up other ACOE money to allow smaller projects to get funded.

Chairman stated that the Senate WRDA bill contains language increasing the per project limit under the ACOE's Section 107 Continuing Authorities Program from \$7 million to \$10 million. The House WRDA bill does not appear to contain this language. Currently, the proposed Piscataqua River Turning Basin Improvement Project requires WRDA authorization and the federal cost for the project approximately is \$8-10 million. If the Section 107 Program per project limit is increased to \$10 million, the Turning Basin Improvement Project might be able to be approved under the Section 107 Program, and not require Congressional action through passage of a WRDA. Mr. Thomson stated that he'd review this issue with the Senator's D.C. staff.

Project Updates:

■ Piscataqua River Turning Basin Improvement Project

Richard Heidebrecht, ACOE Project Manager, stated that the ACOE recently sent out coordination letters requesting comments on the current proposal. The ACOE is proposing a 1,200 foot wide turning basin, which would generate approximately 720,000 cubic yards of sandy material. The ACOE has received letters of interest for this material

from the Town of Wells, Maine and the towns of Newbury, Newburyport, and Salisbury, Massachusetts. The ACOE is proposing to offer half of the dredged material to the Town of Wells and the other half to the three towns in Massachusetts. The three Massachusetts towns currently have an agreement that distributes dredged material from the Merrimack River. Using a similar agreement the ACOE is proposing to place 75% of the material from the Turning Basin project off-shore from Plum Island, while the remaining 25% would be placed off-shore of Salisbury Beach. In anticipation of the near-shore placement of dredged material off Wells Beach, Salisbury Beach, Newburyport and Plum Island the ACOE has conducted surveys in these areas. The ACOE has also completed grain size analyses and will be conducting benthic analyses as well. Mr. Heidebrecht then stated that the project will also generate approximately 16,000 cubic yards of ledge. The ACOE's current plan is to off-load this material at the state pier. The ACOE is still seeking a user for the material. Bob Melanson, Kittery, Maine Port Authority, stated that they are interested in using the ledge at two islands off Pepperell Cove for wave mitigation. He continued by saying that the Town of Kittery recently received approval from two owners of the islands.

Mr. Heidebrecht was asked what the per-yard cost would be for the material brought to Salisbury and Newburyport. He stated that the cost has been calculated at approximately \$4.00 per yard. Robert Boeri, Massachusetts CZM, stated that he has spoken with Mass. Department of Environmental Protection and Mass. Department of Conservation and Recreation to determine what funds may be available for the material. He also stated that Mass CZM is reviewing the studies and analyses of the material conducted by the ACOE.

Mr. Heidebrecht then reiterated that the ACOE is seeking comments from the states regarding the proposed project. Carol Henderson, NH Fish and Game Department (NHF&G) stated that NHF&G has concerns about potential impacts to the Striped Bass fishery in the project area. She asked the Environmental Assessment (EA) for the project had been completed. Mr. Heidebrecht stated that the ACOE has a completed a draft version of the EA. He then stated that he believed the draft EA contains information regarding migrating lobsters but not other fisheries. Ms. Henderson then asked if the ACOE would be holding public meetings when the EA is released. Mr. Heidebrecht stated that the draft EA must still be reviewed internally. After that process is complete, it will be release for public comment. Discussion followed.

Chairman Williams stated that at the last meeting the sentiment was that the ACOE would be able to complete the feasibility study report by the end of 2013. He asked if this timeline is still valid. Mr. Heidebrecht stated that the ACOE intends to place the draft feasibility report into their internal review process by the end of the year for release in the spring of 2014. Olga Guza-Pabst, EPA, asked when the project is likely to start. Mr. Heidebrecht stated that if an ACOE Chief's report is completed by the end of calendar year 2014, they should be able to begin design by mid-2015. He also stated that during the design phase the ACOE would need to define the limits of the bedrock/ledge, which will require the ACOE to conduct more borings. Discussion followed.

■ Sagamore Creek and Portsmouth Back Channels Maintenance Dredge

Ed O'Donnell, ACOE, reminded members that there is no funding for this project. The ACOE has recently completed an eelgrass survey of the area. Valerie Cappola, ACOE, stated that while prior surveys identified eelgrass along the sides of the federal channel, the most recent survey identified eelgrass in sections of the channel that are heavily shoaled. As a result, it may be impossible to completely avoid the eelgrass when dredging. Discussion followed regarding eelgrass mitigation. Richard Holt, Sr., Portsmouth Pilots & Pease Harbor Advisory Board, stated that, as a user of Sagamore Creek, he predicts that within a year or two it will be impossible to pass the shoaled area at low water. Richard Holt, Jr., Moran Towing, asked if the sand bar could be strategically removed without disturbing eelgrass so that the fishing and recreational boat traffic could continue to use the waterway. Discussion followed.

Other Business:

■ Sarah Mildred Long Bridge Replacement Project – Sediment Testing & Analysis

Bob Landry, NH Department of Transportation, gave a brief presentation summarizing the project. He stated that if funding is received, they hope to award a contract for construction in the fall of 2014. The project, which includes constructing a new bridge, shifting traffic from the current bridge to the new bridge, and demolishing the current bridge, is scheduled to last approximately three years. Discussion followed. Frank Richardson, NH Wetlands Bureau, asked about the feasibility of constructing containment cells at Outer Cutts Cove and filling them with the dredged material from the project. He reminded members that something similar was done for the ACOE's Section 227 project in Seabrook and Hampton Harbor. Richard Roach, ACOE, stated that it might be possible if the top of the containment cells were constructed to create shallow water habitat. Discussion followed.

■ Eelgrass status and trends & restoration efforts

Chairman Williams asked Phil Colarusso of EPA to give a presentation about the status and trends of eelgrass in the region as well as eelgrass mitigation options. Mr. Colarusso proceeded to show a Power Point presentation of the status of eelgrass in New England and some of restoration techniques. He stated that the most recent eelgrass survey of the Great Bay Estuary shows continued loss of eelgrass throughout the Estuary. Discussion followed to include efforts to control non-point source pollution.

■ Other Items

Chairman Williams stated that he participated in a call, facilitated by the Maine Coastal Program about the potential re-opening of the Cape Arundel Disposal Site (CADS). As mentioned earlier in the meeting, both the Senate and House versions of WRDA include language to reopen the CADS. The State of Maine will be working with the ACOE and EPA to determine the remaining capacity at CADS and what additional information is needed to re-open CADS. The ACOE completed survey work in/around CADS this past summer and the bathymetry and biological data from this work is expected soon.

Chairman reminded members that CADS is New Hampshire's primary off-shore dredged material disposal site.

Chair informed members that the most recent (2012) eelgrass survey of the Great Bay Estuary and Piscataqua River was recently posted on NH GRANIT, the state's GIS clearinghouse. He reminded members that GRANIT has yearly eelgrass data for the Estuary dating back to the early 1980s.

Chairman Williams stated that he recently received a call from a consultant who was concerned about sound restrictions being placed on work occurring in the Piscataqua River to protect the federally threatened Atlantic Sturgeon. He stated that he had contacted the National Marine Fisheries Service (NMFS) to inquire about the restrictions. Discussion followed. Chairman stated that he'd look into having someone from NMFS give a presentation about Atlantic Sturgeon and in-river noise restrictions at a future Task Force meeting.

■ **Schedule next meeting**

Next Meeting: January 15, 2014 at 1:30 PM at the DES-NHCP Portsmouth office.

Meeting Adjourned at 3:25 PM